

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CONNECTICUT BANK OF
COMMERCE,

Plaintiff,

v.

THE REPUBLIC OF CONGO,

Defendant;

CMS NOMEKO CONGO INC.,

Garnishee.

Civil Action No. 05-762 SLR

**GARNISHEE CMS NOMEKO'S CROSS-MOTION
FOR SUMMARY JUDGMENT**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, garnishee CMS Nomeco Congo Inc. (now named CMS Nomeco Congo LLC) ("CMS Nomeco") hereby cross-moves for summary judgment in its favor. The grounds for the motion are set forth in the accompanying Answering Brief in Opposition to Af-Cap's Motion for Summary Judgment and Opening Brief in Support of CMS Nomeco's Motion for Summary Judgment.

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Dated: December 14, 2005

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CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2005, the foregoing Cross-Motion for Summary Judgment was electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to counsel as set forth below:

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